



Docket No.: 52321-012

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Sing-Wang CHENG, et al.

Serial No.: 09/373,605

Group Art Unit: 3743

Filed: August 13, 1999

Examiner: C. Atkinson

**RECEIVED**

MAR 26 2002

TECHNOLOGY CENTER R3700

For: HEAT TEMPERATURE RAISING SYSTEM

**DECLARATION UNDER 37 C.F.R. 1.132 OF CHEN-YEN CHENG**Commissioner for Patents  
Washington, DC 20231

Sir:

I Chen-Yen Cheng declare and say as follows:

1. I Chen-Yen Cheng is the inventor of U.S. Patent 5,526,653 directed to "Immediate Heat Upgrading Air Conditioning System and Associated Cool Thermal Storage".

2. I have also read and understand U.S. patent application Serial Number 09/373,605 of Sing-Weng Cheng et al. which is presently pending in the U.S. Patent and Trademark Office. I further understand that the patent Examiner states in an official action that the claims in Serial Number 09/373,605 which are directed to methods for transferring heat from a heat source to a heat sink where the temperature of the heat sink is higher than the temperature of the heat source, are obvious in view of my earlier U.S. Patent 5,523,653.

09/373,605

3. I understand that the method described in the claims in Serial Number 09/373,605 involve use of a change in pressure to transfer heat by latent heat diffusion from a heat temperature raising medium to a second heat carrying medium and that the Examiner alleges that it would have been obvious to use these two different pressures in view of the teachings of my earlier patent.

It is my opinion that there is no suggestion in my earlier patent number 5,526,653 which would lead one of skill in the art to use two different pressures to achieve the result of the claims of serial number 09/373,605. As one of skill in the art, it is my opinion that this invention in the claims of this pending application is unobvious in view of my earlier patent 5,526,653.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and that like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Chen-Yen Cheng

Date: Feb. 5, 2002

Signature: Chen-Yen Cheng

Chen-Yen Cheng